

31	54	41
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Sec. Twp. Range

**ZONING HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING BY**

RECEIVED
204-270
JUL 07 2004

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT

LIST ALL FOLIO #S: 30-4131-009-0110

Date Received

1. **NAME OF APPLICANT** (Provide complete name of applicant, exactly as recorded on deed, if applicable. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

IRA GRABOW AND BAMBI GRABOW

2. **APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: 4820 S.W. 76TH STREET

City: MIAMI State: FL Zip: 33143 Phone#: _____

3. **OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): Mailing Address: SAME AS ABOVE

City: _____ State: _____ Zip: _____ Phone#: _____

4. **CONTACT PERSON'S INFORMATION:**

Name: JUAN J. MAYOL, JR. Company: AKERMAN SENTERFITT, P.A.

Mailing Address: ONE SE THIRD AVENUE, SUITE 2800

City: MIAMI State: FL Zip: 33131

Phone#: (305) 374-5600 Fax#: (305) 374-5095 E-mail: _____

5. **LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, then a legal description for each sub-area must be provided. Attach separate sheets as needed. In addition to paper version it is requested that lengthy metes and bounds description be provided on disquette or compact disc in Microsoft Word or compatible software.)

**THE EAST 257 FEET OF LOTS 1 AND 2 IN BLOCK 3, OF "AMENDED PLAT OF
GRANADA PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40,
AT PAGE 21, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.**

REQUEST FOR LEGAL DESCRIPTION CHECK (Part A)

Appl. No: _____ Sec: 31 TWP: 54 Rge: 41
Processor: _____ CZAB #: 12 BCC _____

TYPE OR PRINT ALL INFORMATION – ALL FOLIO NUMBERS REQUIRED

1. **FOLIO NUMBER(S) OF SUBJECT PROPERTY** (List all folio numbers comprising the subject property)

30-4131-009-0110

2. **NAME OF APPLICANT** (Property Owner or Lessee with Owner's Sworn-to-Consent)

IRA GRABOW AND BAMBI GRABOW

3. **LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**
Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If application contains requests for multiple zone changes, provide the legal description for each area. Attach separate sheet(s), as needed.

THE EAST 257 FEET OF LOTS 1 AND 2 IN BLOCK 3, OF "AMENDED PLAT OF GRANADA PARK",
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40,
AT PAGE 21, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

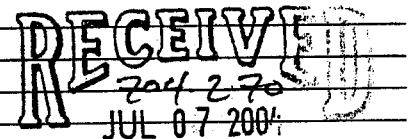
4. **ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)

4820 S.W. 76th STREET, MIAMI, FL 33143

5. **SIZE OF PROPERTY** _____' X _____' (in acres): 1.2±
(divide total sq. ft. by 43,560 to obtain acreage)

6. **IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S)**, provide complete legal description of said contiguous property. (If attaching separate sheet, clearly label as contiguous property)

N/A



ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

4820 S.W. 76TH STREET, MIAMI, FL 33143

7. SIZE OF PROPERTY _____' x _____' (in acres): 1.2±
(divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property ☒ acquired ☐ leased: 8/1984 9. Lease term: _____ years
(month & year)

10. IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S), provide complete legal description of said contiguous property. (See notes related to item 5.)

N/A

11. Is there an option to purchase ☐ or lease ☐ the subject property or property contiguous thereto?
☒ no ☐ yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. PRESENT ZONING CLASSIFICATION: EU-1

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

☒ District Boundary Changes (DBC) [Zone class requested]: EU-S

☐ Unusual Use: _____

☐ Use Variance: _____

☐ Non-use Variance: _____

☐ Alternative Site Development: _____

☐ Special Exception: _____

☐ Modification of previous resolution/plan: _____

☐ Modification of Declaration or Covenant: _____

☐ _____

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING

BY [Signature]

14. Has a public hearing been held on this property within the last year & a half? ☒ no ☐ yes.
If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. Is this application as a result of a violation notice? ☒ no ☐ yes. If yes, give name to whom the violation notice was served: _____ and describe the violation:

16. Describe structures on the property: SINGLE FAMILY HOME

17. Is there any existing use on the property? ☐ no ☒ yes. If yes, what use and when established?

Use: RESIDENTIAL Year: _____

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APPLICANT'S AFFIDAVIT
(SELECT APPROPRIATE AFFIDAVIT AND NOTARIZE BELOW) ZONING HEARINGS SECTION
PLANNING AND ZONING DEPT.

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing.

Signature (see notary below) Signature

CORPORATION AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ President ☐ Vice-President ☐ Secretary ☐ Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the ☐ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____
Authorized Signature

(Corp. Seal)

Office Held

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the ☐ owner ☐ tenant of the property described herein which is the subject matter of the proposed hearing.

(Name of Partnership)

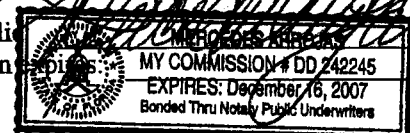
By _____ % By _____ %
By _____ % By _____ %

ATTORNEY AFFIDAVIT

I, JUAN J. MAYOL, JR., being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Sworn to and subscribed to be me
this 16 day of July 2004

Notary Public
Commission



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704-270
JUL 07 2004

OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

Public Hearing No. _____

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared IRA GRABOW, hereinafter the Affiant, who being duly sworn by me, on oath, deposes and says:

1. Affiant is the fee owner of the property, which is the subject of the proposed hearing.
2. The subject property is legally described as:

THE EAST 257 FEET OF LOTS 1, 2 IN BLOCK 3, OF "AMENDED PLAT OF GRANADA PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK, AT PAGE 21, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

3. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature

Print Name

Signature

Print Name

IRA GRABOW

Sworn to and subscribed before me on the 28 day of June, 2004. Affiant is personally known to me or has produced _____ as identification.

Notary Public-State of Florida

My Commission Expires _____



Vima Soraya Aguilar

My Commission CC958307

Expires August 2, 2004

OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL

RECEIVED
Z-270
JUL 07 2004

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____
Public Hearing No. _____

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Bambi @ 7/7/04 M. 102
Facing

Before me, the undersigned authority, personally appeared BAMBI GRABOW, hereinafter the Affiant, who being duly sworn by me, on oath, deposes and says:

4. Affiant is the fee owner of the property, which is the subject of the proposed hearing.
5. The subject property is legally described as:

THE EAST 257 FEET OF LOTS 1, 2 IN BLOCK 3, OF "AMENDED PLAT OF GRANADA PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK, AT PAGE 21, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

6. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

Signature

Print Name

Signature

Print Name

Bambi Grabow
BAMBI GRABOW

Sworn to and subscribed before me on the 28 day of June, 2004. Affiant is personally known to me or has produced _____ as identification.

Viana Soraya Govilar
Notary Public-State of Florida

My Commission Expires August 2, 2004
Viana Soraya Aguilar
Commission CC958307

RESPONSIBILITIES OF THE APPLICANT

RECEIVED
204-290
JUL 07 2004

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY *[Signature]*

I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental-Quality-Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property. In addition to mailing costs, fees related to application changes, plan revisions, deferrals, re-advertising, etc., may be incurred. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. I understand that fees must be paid promptly.
3. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. In Miami-Dade County v. Omnipoint Holdings, Inc., Case No. 3D01-2347 (Fla. 3rd DCA 2002), the 3rd District Court of Appeal has held invalid the standards for non-use variances, special exceptions, unusual uses, new uses requiring a public hearing and modification of conditions and covenants. The County Attorney's Office is seeking review of the decision in the Florida Supreme Court, as well as a stay of the decision's effect. While the case is pending, the decision is in effect and binding on all parties. Its impact is to suspend consideration of zoning applications for most special exceptions, unusual uses, non-use variances, and modification of conditions and covenants. In the interim, County staff have developed and proposed to the Board of County Commissioners certain ordinances that would provide interim standards for limited categories of applications. If these standards are enacted, certain applications may be able to proceed to hearing. However, absent a reversal by the courts or enactment of revised regulations, pending applications will not be able to proceed to hearing until the disposition of the pending litigation.
6. Any covenant to be proffered must be submitted to the Department's Legal Advisor, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Advisor must carry a cover letter indicating subject matter, application number and hearing date. Legal Advisor may be reached at (305) 375-3075.

IRA GRABOW AND BAMBI GRABOW

[Signature]
IRA GRABOW
[Signature]
BAMBI GRABOW

Sworn to and subscribed before me this 28 day of June, 2004. Affiant is personally known to me or has produced _____ as identification.

[Signature]
Vina Soraya Aguilar
(Notary Public)
{M2119351;2}

My commission expires



Vina Soraya Aguilar

My Commission CC958307

Expires August 2, 2004